UNITED STATES PATENT AND TRADEMARK OFFICE

# NOTICE OF ALLOWANCE AND FEE(S) DUE

51206        7590        11/22/2010

TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

| EXAMINER |
| --- |
| CHONG CRUZ, NADJA N |

| ART UNIT | PAPER NUMBER |
| --- | --- |
| 3623 | |

DATE MAILED: 11/22/2010

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| --- | --- | --- | --- | --- |
| 09/858,122 | 05/15/2001 | Steven Bruce Katz | 021756-050600US | 1464 |

TITLE OF INVENTION: METHOD FOR MANAGING A WORKFLOW PROCESS THAT ASSISTS USERS IN PROCUREMENT, SOURCING, AND DECISION-SUPPORT FOR STRATEGIC SOURCING

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
| --- | --- | --- | --- | --- | --- | --- |
| nonprovisional | NO | $1510 | $300 | $0 | $1810 | 02/22/2011 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. **SEE 37 CFR 1.313 AND MPEP 1308.**

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

# PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to:** **Mail**   Mail Stop ISSUE FEE
Commissioner for Patents
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/858,122 | 05/15/2001 | Steven Bruce Katz | 021756-050600US | 1464 |

TITLE OF INVENTION: METHOD FOR MANAGING A WORKFLOW PROCESS THAT ASSISTS USERS IN PROCUREMENT, SOURCING, AND DECISION-SUPPORT FOR STRATEGIC SOURCING

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|---|---|---|---|---|---|---|
| nonprovisional | NO | $1510 | $300 | $0 | $1810 | 02/22/2011 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|---|---|---|
| CHONG CRUZ, NADJA N | 3623 | 705-007000 |

**1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).**

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

**2. For printing on the patent front page, list**

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

**4a. The following fee(s) are submitted:**
☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

**4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)**
☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

**5. Change in Entity Status (from status indicated above)**
☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.      ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____                 Date _____

Typed or printed name _____                 Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| | | |
|---|---|---|
| 51206 7590 11/22/2010 | EXAMINER | |
| TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE | CHONG CRUZ, NADJA N | |
| TWO EMBARCADERO CENTER | ART UNIT | PAPER NUMBER |
| 8TH FLOOR | 3623 | |
| SAN FRANCISCO, CA 94111-3834 | DATE MAILED: 11/22/2010 | |

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
### (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 964 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 964 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

| | Application No. | Applicant(s) |
|---|---|---|
| **Notice of Allowability** | 09/858,122 | KATZ ET AL. |
| | Examiner | Art Unit |
| | NADJA CHONG CRUZ | 3623 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the documents filed on 7 October 2010*.

2. ☒ The allowed claim(s) is/are *140-145,150,151,155-159,162,169-174,182,183 and 231-238*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All    b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08),
   Paper No./Mail Date <u>10/7/2010</u>

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
   Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623

## DETAILED ACTION

1.      The following action is a response to the communication of 7 October 2010. Claims 140, 142, 144, 155-158, 231 and 237-238 have been amended and claim 230 have been cancelled by Examiner's Amendment. Examiner notes that the Examiner's Amendment was previously sent on 9 July 2010.

2.      Claims 140-145, 150-151, 155-159, 162, 169-174, 182-183 and 231-238 are now pending in this application and are allowed.

3.      This action includes Examiner's Amendment and Reasons for Allowance.

### Information Disclosure Statement

4.      The information disclosure statement (IDS) submitted on 7 October 2010 was filed after the mailing date of the Notice of Allowance on 9 July 2010.  The submission is in compliance with the provisions of 37 CFR 1.97.  Accordingly, the information disclosure statement is being considered by the examiner.

### Examiner's Amendment

5.      An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew J. Lee (Reg. # 60,371) on July 2, 2010. It is further noted that the agreement was reached via a series of conversation that took at various times from 6/24/2010 until 7/2/2010. The application has been amended as follows:

**In the claims:**

**Please amend claim 140 as follow:**

140.     A method comprising:

discovering, by a computer system, internal and external data related to a plurality of components to be procured by an enterprise, wherein the internal data originates from one or more data sources internal to the enterprise, and wherein the external data originates from one or more data sources external to the enterprise;

storing, by the computer system, the discovered internal and external data in a data mart;

analyzing, by the computer system, the internal and external data using a first analysis module to determine criticality ratings for the plurality of components, wherein the criticality rating for a component indicates the strategic importance of the component to operations of the enterprise, and wherein the analyzing performed using the first analysis module is based on a first set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a second analysis module to forecast prices for the plurality of components set by suppliers external to the enterprise, wherein the analyzing performed using the second analysis module is based on a second set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a third analysis module to determine optimal inventory levels for the plurality of components, wherein the analyzing performed using the third analysis module is based on a third set of user-defined parameters that qualify the internal or external data;

analyzing, by the computer system, the internal and external data using a fourth analysis module to identify components in the plurality of components that are shortage risks, wherein the analyzing performed using the fourth analysis module is based on a fourth set of user-defined parameters that qualify the internal or external data;

collecting and integrating the analyzed data from the first, second, third and fourth analysis modules through a plurality of algorithms that optimize the analyzed data based on the first, second, third and fourth set of user-defined parameters;

recommending by the computer system, one or more proposed actions to take with respect to procurement of the plurality of components based on the ~~analyzing performed using the first, second, and third analysis modules~~ <u>collecting and integrating performed</u>; and

providing, by the computer system, one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions.

**Please amend claim 142 as follow:**

142.    The method of claim 140, further comprising producing, by the computer system, one or more reports based on the analyzing performed using the first, second, [[and]] third<u>, and fourth</u> analysis modules, wherein the one or more reports provide the user with information regarding an impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the plurality of components, and wherein the one or more reports include information displayed in one or more graphical formats.

**Please amend claim 144 as follow:**

144.    The method of claim 140, further comprising producing, by the computer system, one or more reports based on the analyzing performed using the first, second, [[and]] third<u>, and fourth</u> analysis modules, wherein the one or more reports provide the user with information regarding an impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the plurality of components, and wherein the one or more reports include information represented in one or more non-graphical formats.

**Please amend claim 155 as follow:**

155.    The method of claim 140, wherein the steps of analyzing the discovered internal and external data using the first, second, [[and]] third<u>, and fourth</u> analysis modules uses data from the step of discovering the internal and external data to produce one or more reports intended to assist the user in procurement decisions, sourcing decisions, or strategic sourcing decisions.

**Please amend claim 156 as follow:**

156.    The method of claim 140, wherein the step of recommending one or more proposed

actions uses data from the steps of analyzing the discovered internal and external data using the

first, second, [[and]] third, and fourth analysis modules to make recommendations for possible

actions based on the discovered internal and external data.

**Please amend claim 157 as follow:**

157.    The method of claim 140, wherein the steps of analyzing the discovered internal and

external data using the first, second, [[and]] third, and fourth analysis modules collects data from

the step of discovering the internal and external data and additional data from user input to make

recommendations in real time.

**Please amend claim 158 as follow:**

158.    The method of claim 140, wherein the step of executing one or more actions uses data

from the steps of analyzing the discovered internal and external data using the first, second,

[[and]] third, and fourth analysis modules as input for the user to decide which recommendations

to execute and when to execute them.

**Please cancel claim 230.**

**Please amend claim 231 as follow:**

231.    The method of claim 140 further comprising:

        analyzing, by the computer system, the internal and external data using a ~~fourth~~ fifth

analysis module to determine, for each component in the plurality of components, an allocation of

a purchase quantity of the component across a set of suppliers, wherein the allocation is based

on contractual obligations with the set of suppliers and performance ratings for the set of

suppliers, and wherein the analyzing performed using the ~~fourth~~ fifth analysis module is based on

a ~~fourth~~ fifth set of user-defined parameters that qualify the internal or external data.

**Please amend claim 237 as follow:**

237.    A system comprising:

        a storage device configured to store internal and external data related to a plurality of

components to be procured by an enterprise, wherein the internal data originates from one or

more data sources internal to the enterprise, and wherein the external data originates from one or more data sources external to the enterprise; and

a processing component communicatively coupled with the storage device, the processing component being configured to:

analyze the internal and external data using a first analysis module to determine criticality ratings for the plurality of components, wherein the criticality rating for a component indicates the strategic importance of the component to operations of the enterprise, and wherein the analyzing performed using the first analysis module is based on a first set of user-defined parameters that qualify the internal or external data;

analyze the internal and external data using a second analysis module to forecast prices for the plurality of components set by suppliers external to the enterprise, wherein the analyzing performed using the second analysis module is based on a second set of user-defined parameters that qualify the internal or external data;

analyze the internal and external data using a third analysis module to determine optimal inventory levels for the plurality of components, wherein the analyzing performed using the third analysis module is based on a third set of user-defined parameters that qualify the internal or external data;

analyze the internal and external data using a fourth analysis module to identify components in the plurality of components that are shortage risks, wherein the analyzing performed using the fourth analysis module is based on a fourth set of user-defined parameters that qualify the internal or external data;

collect and integrate the analyzed data from the first, second, third and fourth analysis modules through a plurality of algorithms that optimize the analyzed data based on the first, second, third and fourth set of user-defined parameters;

recommend one or more proposed actions to take with respect to procurement of the plurality of components based on the ~~analyzing performed using the first, second, and third analysis modules~~ collecting and integrating performed; and

provide one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions.

**Please amend claim 238 as follow:**

238.     A <u>non-transitory</u> computer readable storage medium having stored thereon instructions executable by a computer system, the instructions comprising:

instructions that cause the computer system to discover internal and external data related to a plurality of components to be procured by an enterprise, wherein the internal data originates from one or more data sources internal to the enterprise, and wherein the external data originates from one or more data sources external to the enterprise;

instructions that cause the computer system to store the discovered internal and external data in a data mart;

instructions that cause the computer system to analyze the internal and external data using a first analysis module to determine criticality ratings for the plurality of components, wherein the criticality rating for a component indicates the strategic importance of the component to operations of the enterprise, and wherein the analyzing performed using the first analysis module is based on a first set of user-defined parameters that qualify the internal or external data;

instructions that cause the computer system to analyze the internal and external data using a second analysis module to forecast prices for the plurality of components set by suppliers external to the enterprise, wherein the analyzing performed using the second analysis module is based on a second set of user-defined parameters that qualify the internal or external data;

instructions that cause the computer system to analyze the internal and external data using a third analysis module to determine optimal inventory levels for the plurality of components, wherein the analyzing performed using the third analysis module is based on a third set of user-defined parameters that qualify the internal or external data;

<u>instructions that cause the computer system to analyze the internal and external data using a fourth analysis module to identify components in the plurality of components that are</u>

shortage risks, wherein the analyzing performed using the fourth analysis module is based on a
fourth set of user-defined parameters that qualify the internal or external data;

instructions that cause the computer system to collect and integrate the analyzed data
from the first, second, third and fourth analysis modules through a plurality of algorithms that
optimize the analyzed data based on the first, second, third and fourth set of user-defined
parameters;

instructions that cause the computer system to recommend one or more proposed
actions to take with respect to procurement of the plurality of components based on the ~~analyzing
performed using the first, second, and third analysis modules~~ collecting and integrating
performed; and

instructions that cause the computer system to provide one or more computer-initiated
options for fully or partially executing an action in the one or more proposed actions.

**Reason for Allowance**

6.      The following is an examiner's statement of reasons for allowance: None of the prior art of record,
taken individually or in any combination, teaches, inter alia, a method, system and a non-
transitory computer readable medium for recommending proposed actions based on the collected
and integrated analyzed data, from four analysis modules which each module determines
criticality ratings, forecast prices, optimal inventory levels and shortage risks, through a plurality of
algorithms that optimize the analyzed data based on four different set of user defined parameters
as recited in claims 140, 237 and 238.

7.      The closest prior art Fox et al., (U.S. 5,491,629), Ouimet (US 2002/0107819 A1) Salvo et al., (US
6,341,271 B1) and Waller et al., (US 2001/0047293 A1)  fails to teach or suggest either singularly
or in combination recommending proposed actions based on the collected and integrated
analyzed data, from four analysis modules which each module determines criticality ratings,
forecast prices, optimal inventory levels and shortage risks, through a plurality of algorithms that
optimize the analyzed data based on four different set of user defined parameters in claims 140,
237 and 238. Fox et al., teach in col. 6, lines 10-19 and 33-40; Figure 5; A computer system uses

internal and external data to determine an impact on the retail industry. The internal and external data is used to revise a managerial plan (i.e., make strategic decisions). Fox disclose the discovering and storing of internal and external data. Ouimet teaches the determination of criticality ratings of a plurality of components in ¶ 0069: "[t]he system gives the user the option of ranking" (e.g., determine criticality ratings) "the multiple Strategic Objects" (e.g., the plurality of components) "in terms of weights" (e.g., criticality ratings) "to prioritize multiple strategic objectives" (e.g., indicates the strategic importance of the component of the operations of the enterprise) "or in terms of a target value" (e.g., a first set of user-defined parameters, for example maximize profit) "for a particular Strategic Objective."). Salvo et al., teaches the forecasting of prices in claim 6: "the control unit […] is capable of estimating future inventory price information to determine if an inventory order should be placed". Waller et al., teaches the determination of the plurality of components in ¶ 0074 which teaches that "the optimization process" enables "a user to efficiently manage inventory" based for a product set that "offers the lowest possible total cost, highest possible economic profit, highest possible unit sales, highest possible sales revenue, highest possible gross margin, or a weighted combination of any of these objectives for the set of products being analyzed" (e.g., a third set of user-defined parameters) wherein "the proposed optimal solution is expressed in numbers of facings of the products or in optimal shelf inventory level". However, Fox et al., in view of Ouimet, Salvo et al., and Waller et al., does not explicitly recommending proposed actions based on the collected and integrated analyzed data, from four analysis modules which each module determines criticality ratings, forecast prices, optimal inventory levels and shortage risks, through a plurality of algorithms that optimize the analyzed data based on four different set of user defined parameters as recited in independent claims 140, 237 and 238.

8.    Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NADJA CHONG CRUZ whose telephone number is (571)270-3939. The examiner can normally be reached on Monday to Friday, 8 am to 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nadja Chong/
Examiner, Art Unit 3623
/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623